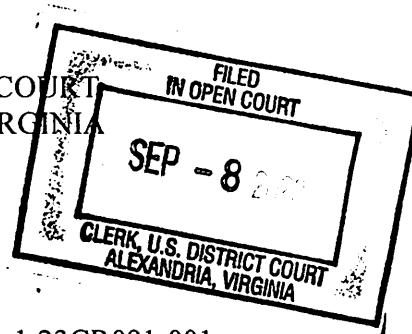


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



UNITED STATES OF AMERICA)
v.)
BENNIE EARL MAGEE,)
Defendant.)

)

Criminal No. 1:23CR091-001

RESTITUTION ORDER

1. Pursuant to 18 U.S.C § 3663A(a)(1), the defendant is ordered to pay restitution in the amount of **\$7,619,379.00**, jointly and severally with Michael Gilcher (1:23CR086-001) and with any other defendants who are ordered to pay restitution for the same losses.
2. Each defendant shall be required to pay up to the full amount imposed against that defendant, unless or until all victims of that defendant have received payment of the full amount of restitution awarded to each victim.
3. The Clerk of Court shall forward all restitution payments to the victims at the addresses provided in the Attachment A to this Order.
4. Interest: _____
_____ is waived.
_____ accrues as provided in 18 U.S.C § 3612(f).
5. Notwithstanding any other provision of this Restitution Order or the sentence imposed, including the directive to make periodic payments, restitution is due in full and payable immediately from assets known and unknown and including assets identified in the Presentence Report. The Government may enforce restitution at any time.
6. If incarcerated, the Court encourages the defendant to participate in the Bureau of Prisons' Inmate Financial Responsibility Program, to comply with the provisions of the financial plan, and to meet the defendant's financial obligation, pursuant to 28 C.F.R. § 545.10-11.

7. If restitution is not paid in full immediately, the defendant shall pay to the Clerk at least \$300 per month or 25 percent of net income, whichever is greater, beginning 60 days after release from any period of confinement, or 60 days after sentencing if no confinement is imposed.
8. All payments shall be made to the Clerk of Court, United States District Court, 401 Courthouse Square, Alexandria, VA 22314.
9. Within 30 days of (a) any change of name, residence, or mailing address; and/or (b) any material change in economic circumstances that affects the ability to pay restitution, the defendant shall notify the Clerk of Court and the United States Attorney's Office, Financial Litigation Unit, 8000 World Trade Center, Norfolk, Virginia 23510.
10. No delinquent or default penalties will be imposed except upon Order of the Court.
11. The Clerk of Court shall distribute the funds to the victims on a pro rata basis.

Claude M. Hilton
Honorable Claude M. Hilton
Senior United States District Judge

ENTERED this 8th day of Sept, 2023.

at Alexandria, Virginia

WE ASK FOR THIS:

Jessica D. Aber
United States Attorney

Kathleen Robeson
Kathleen Robeson
Russell L. Carlberg
Assistant United States Attorney

SEEN AND AGREED:

Bennie E. Magee
Bennie Earl Magee
Defendant

Stuart A. Sears
Stuart A. Sears
Counsel for Defendant

ATTACHMENT A TO RESTITUTION ORDER

Victim:	Loss Amount:
SBA – EIDL Program: U.S. Small Business Administration Office of Disaster Assistance Attn: Executive Office, 14925 Kingsport Rd, Ft. Worth, TX 76155	\$854,000
SBA-PPP Lender Fees Debra L. Mayer, Supervisory Fraud Risk Specialist National Guaranty Purchase Center (NGPC) Office of Financial Program Operations U.S. Small Business Administration 1165 Herndon Parkway Herndon, VA 20170	\$6,765,379
Total due from defendant:	\$7,619,379.00